

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
)
Richard DEROSE et al.) Group Art Unit: 1638
)
Continuation of Application)
Serial No. 09/000,062,) Examiner: O. Zaghmout
filed May 29, 1998)
)
Filed: December 21, 2001)
)
For: ISOLATED DNA SEQUENCE)
CAPABLE OF SERVING AS)
REGULATORY ELEMENT IN A)
CHIMERIC GENE WHICH CAN)
BE USED FOR THE)
TRANSFORMATION OF PLANTS)

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to examination of the subject application on the merits, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please replace the paragraph beginning at page 11, line 8, with the following:

-- **EXAMPLE 1:**

1. Production of an EPSPS fragment from Arabidopsis thaliana

a) two 20-mer oligonucleotides of respective sequences (SEQ ID NOS: 8 and 9):

5'-GCTCTGCTCATGTCTGCTCC-3'

5'-GCCCCGCCCTTGACAAAGAAA-3'